



DAC/

ATTORNEY DOCKET NO. 19113.0071U2  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

RECEIVED

DEC 08 2003

OFFICE OF PETITIONS

In re Application of	)	
	)	
Argraves <i>et al.</i>	)	Group Art Unit: 1647
	)	
Serial No. 09/700,455	)	Examiner: Wegert, Sandra L.
	)	
Filed: February 1, 2001	)	Confirmation No. 5273
	)	
For: METHODS AND COMPOSITIONS FOR	)	
HDL HOLOPARTICLE UPTAKE	)	
RECEPTOR	)	

**PETITION UNDER 37 C.F.R. § 1.78(a)(6): TO ACCEPT AN UNINTENTIONALLY  
DELAYED CLAIM FOR BENEFIT OF PRIORITY UNDER 35 U.S.C. § 119(e)**

**Mail Stop Petition**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.  
Customer No. 23859

Sir:

Applicants respectfully request that the unintentionally delayed claim, under 35 U.S.C. § 119(e) for benefit of the prior-filed provisional application, be accepted in the above-referenced patent application.

The present application is a U.S. National Phase application, filed under 35 U.S.C. § 371, of International Application No. PCT/US99/10619, filed May 13, 1999. PCT/US99/10619 lists U.S. Provisional Application No. 60/085,556, filed May 15, 1998, as the priority application. Moreover, the Declaration/Power of Attorney filed December 4, 2000 in the present application lists PCT/US99/10619 and 60/085,556 as priority applications.

However, the specification itself does not contain a specific reference to Provisional Application No. 60/085,556.

**ATTORNEY DOCKET NO. 19113.0071U2**  
**APPLICATION NO. 09/700,455**

To rectify this oversight, Applicants have requested amendment of the specification to insert the appropriate priority claim (see pages 2 and 10-11 of Exhibit A, which is a copy of the concurrently filed "Amendment and Reply to Office Action" for the present application).

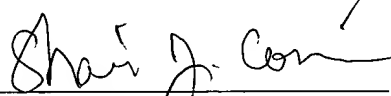
The entire delay between the date the priority claim was due under 37 C.F.R. § 1.78(a)(5) and the date the priority claim was filed was unintentional.

Applicants respectfully request that this petition be granted and that the unintentionally delayed claim under 35 U.S.C. § 119(e) for benefit of the prior filed provisional application be accepted.

Credit Card Form PTO-2038 authorizing payment in the amount of \$1330.00 for the petition fee under 37 C.F.R. § 1.17(t) is enclosed. No additional fee is believed due. However, the Commissioner is hereby authorized to charge any deficiency or to credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

NEEDLE & ROSENBERG, P.C.



Shari J. Corin, Ph.D.

Registration No. 46,243

NEEDLE & ROSENBERG, P.C.

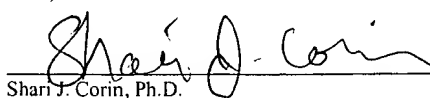
Customer Number 23859

(678) 420-9300

(678) 420-9301 (fax)

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence, including any items indicated as attached or included, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

  
Shari J. Corin, Ph.D.

December 3, 2003  
Date